



*Office of the United States Attorney  
District of Arizona*

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## **PAIR FOUND GUILTY OF SMUGGLING CHARGES RELATED TO DEATHS IN SIERRA VISTA ROLL-OVER CRASH**

TUCSON, Ariz. - Two men were convicted here today by a federal jury on a 15-count indictment on alien smuggling charges. The charges are related to a roll-over crash in Sierra Vista, Ariz. in late 2004 which resulted in the the deaths of five people and an unborn baby. Convicted were Jose Luis Zepeda-Cruz, 25, of Mexico and Jimir Valle Martinez, 22, of Honduras, for Conspiracy to Bring in and Transport Illegal Aliens, Bringing in Illegal Aliens for Commercial Advantage or Private Financial Gain and Transporting Illegal Aliens Causing Serious Bodily Injury and Resulting in Death.

Martinez, the driver, and Zepeda-Cruz, the guide, along with two others, conspired and transported 34 illegal aliens into the U.S. Julio Garcia (AKA Carlos Cortez), 30, of Mexico, Martinez' co-pilot, and Wilbert Garcia, 21, of Honduras, also a guide, have pleaded guilty on related charges. Cortez testified during the trial held between January 18 and February 3, 2006 in front of U.S. District Judge Raner C. Collins in Tucson, Ariz.

U.S. Attorney Paul K. Charlton stated, "This is a just verdict that underscores a tragic border reality: Smugglers care nothing for human life. Our thoughts remain with the survivors' families. We're grateful for the hard work by the Arizona Department of Public Safety and ICE on this case."

"The verdicts in the cases of these two defendants send a loud and unmistakable message to human smugglers that they are going to pay dearly for the brutal disregard shown toward their victims," said Roberto G. Medina, Special Agent-in-Charge of the Office of Investigation of U.S. Immigration and Customs Enforcement (ICE) in Arizona. "Part of our strategy against these criminals is to establish visible deterrents to their illicit activity, and today's verdicts are a powerful one, indeed."

Roger Vanderpool, Director of the Arizona Department of Public Safety stated of today's verdict, "The outstanding work of DPS officers on this case was instrumental in today's verdicts. DNA evidence collected at the scene, and processed in state labs, was key in the arrest and conviction of the driver responsible for these deaths."

The defendants were involved in a multi-car collision which occurred on the Buffalo Soldier Trail in Sierra Vista, Ariz. on October 16, 2004. The crash occurred when the driver, Martinez, lost control of a Ford F-350 pick-up truck and traveled into oncoming traffic. Nineteen people were in the pick-up truck, nine in the cab, including the four defendants. All ten people in the bed of the pick-up truck were ejected during the crash.

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Killed after being ejected from the truck during the crash were Maria Del Pilar Hernandez-Espinoza, Mauro Guadalupe Macedas-Hernandez and Eric Sanchez-Dominguez, all citizens of Mexico being transported into the U.S. illegally. Another female passenger in the truck, 20-weeks pregnant at the time of the crash, lost her unborn child as a result of the collision. James and Emilia Guthrie Lee, traveling in a car struck by the out-of-control pick-up truck, also died at the scene.

Sentencing for Martinez and Zepeda-Cruz is set for April 14, 2006 at 9:10 a.m. before Judge Collins. For Conspiracy to Bring in and Transport Illegal Aliens and Transporting Illegal Aliens Causing Serious Bodily Injury and Resulting in death, the defendants face life in prison on each of seven counts. For Bringing in Illegal Aliens for Commercial Advantage or Private Financial Gain, the defendants face a sentence of a five year minimum mandatory to 10 years for each of eight counts. In determining an actual sentence, Judge Collins will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence. Sentencing for Cortez and Garcia is not yet set.

The joint investigation in this case was conducted by officers of the Arizona Department of Public Safety, Sierra Vista office, and agents from the Douglas office of U.S. Immigration and Customs Enforcement. The prosecution is being handled by Thomas Ferraro and Jon B. Granoff, Assistant U.S. Attorneys, District of Arizona, Tucson, Ariz.

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